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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12) No. CR 07-00661 WDB
13 Plaintiff,)
14) STIPULATION AND [PROPOSED]
15) ORDER CONTINUING STATUS
16) DATE AND EXCLUSION OF TIME
17)
17 PATRICIA FRANKLIN,)
18)
18 Defendant.)

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in
20 this case, currently set for Friday, December 14, 2007, at 10:00 a.m. before Magistrate Wayne D.
21 Brazil may be continued to Tuesday, January 8, 2008, at 10:00 a.m. for status or change of plea. A
22 continuance to January 8, 2008, at 10:00 a.m. will allow defense counsel additional time to review
23 the discovery with Ms. Franklin and complete any additional investigation prior to the next court
24 hearing.

25 In addition, defense counsel will be unavailable during the end of December. The parties
26 therefore stipulate that the time from December 14, 2007, to January 8, 2008, should be excluded in

1 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for
2 continuity of counsel and for adequate preparation of counsel.

3 DATED: 12/12/07

4 JOYCE LEAVITT /S/
5 Assistant Federal Public Defender

6 DATED: 12/12/07

7 MAUREEN BESSETTE /S/
8 Assistant United States Attorney

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10 I hereby attest that I have on file all holograph signatures for any signatures indicated by
11 a "conformed" signature (/S/) within this e-filed document.

10 ORDER

11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case,
12 currently scheduled for Friday, December 14, 2007, at 10:00 a.m. shall be continued to Tuesday,
13 January 8, 2008, at 10:00 a.m. for status or change of plea.

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15 IT IS FURTHER ORDERED that the time from December 14, 2007, to January 8, 2008,
16 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
17 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel. The Court
18 finds that the ends of justice served by the granting of the continuance outweigh the best interests of
19 the public and the defendant in a speedy and public trial and the failure to grant the requested
20 continuance would unreasonably deny the defendant's counsel the reasonable time necessary for
21 effective preparation, taking into account due diligence.

22 SO ORDERED.

23
24 DATED:

25 HON. WAYNE D. BRAZIL
26 United States Magistrate Judge